

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JOSEPH GREGORIO, individually and on behalf of all
others similarly situated,

Plaintiff,

v.

PREMIER NUTRITION CORPORATION,

Defendant.

Civil Action No. 1:17-cv-05987-AT

**NOTICE OF MOTION FOR ATTORNEYS' FEES, COSTS, EXPENSES,
AND INCENTIVE AWARD**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on January 17, 2019 at 2:00 p.m. before the Honorable Analisa Torres, United States District Judge for the Southern District of New York, 500 Pearl Street, New York, New York 10007, Plaintiff Joseph Gregorio, by and through Class Counsel and Supporting Counsel, will move and hereby does move for an order (1) approving the payment of attorneys' fees, costs, and expenses in the amount of one-third of the settlement fund, (2) granting Mr. Gregorio an incentive award of \$5,000 in recognition of his efforts on behalf of the class, and (3) awarding such other and further relief as the Court deems reasonable and just.

PLEASE TAKE FURTHER NOTICE that, in support of the motion, Plaintiff will rely upon the accompanying memorandum of law in support, the Declaration of Joseph Gregorio, the Declaration of Philip L. Fraietta, the Declaration of Nick Suci III, and the Declaration of Anne Barker, together with all of the exhibits annexed thereto.

Dated: November 5, 2018

Respectfully submitted,

By: /s/ Philip L. Fraietta
Philip L. Fraietta

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